

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND ALFORD BRADFORD,

Plaintiff,

v.

G. CHURCH, et al.,

Defendants.

No. 2:21-cv-01412-DAD-KJN (PC)

ORDER GRANTING PLAINTIFF'S
REQUEST FOR VOLUNTARY DISMISSAL
OF THIS ACTION PURSUANT TO RULE 41
AND DISMISSING THIS CASE

(Doc. No. 29)

Plaintiff Raymond Alford Bradford is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 21, 2022, the undersigned denied plaintiff's request for reconsideration of an order issued by the assigned magistrate judge and directed plaintiff to file a second amended complaint within thirty (30) days. (Doc. No. 28.) Plaintiff was warned that his failure to do so "may result in dismissal of this action." (*Id.*) To date, plaintiff has not filed a second amended complaint. Instead, on January 12, 2023, plaintiff filed a document in which plaintiff seeks voluntary dismissal of this action, without prejudice, pursuant to Rule 41 of the Federal Rules of Civil Procedure. (Doc. No. 29.)

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1 Having considered plaintiff's submission and in light of plaintiff's decision to not file a
2 second amended complaint as directed, the court will grant plaintiff's request for voluntary
3 dismissal of this action without prejudice.

4 Accordingly,

- 5 1. Plaintiff's request for voluntary dismissal of this action, without prejudice, (Doc.
6 No. 29) is granted;
- 7 2. This action is dismissed without prejudice; and
- 8 3. The Clerk of the Court is directed to close this case.

9 IT IS SO ORDERED.

10 Dated: January 22, 2023

11 
UNITED STATES DISTRICT JUDGE